

REMARKS/ARGUMENTS

This Amendment is submitted in response to the Office Action mailed January 10, 2011. As explained in further detail below, Applicants have amended Claims 1, 12-13, 15-16, 18-19, 26, 28-29, and 35 for clarification and to further distinguish the cited reference. Applicants have also cancelled Claims 11, 14, 17, and 34. In light of the amendments and subsequent remarks, Applicants respectfully request reconsideration and allowance of the claims.

In the Office Action, the Examiner rejects Claims 1, 2, 4-25, and 35-36 under 35 U.S.C. §102(b) as being anticipated by Int'l Publication No. 2002/057959 to Rothmuller et al. ("Rothmuller"). The Examiner also rejects Claims 26 and 28-34 under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2004/0125150 to Adcock et al. ("Adcock").

Currently pending independent Claims 1, 26, 29, and 35 recite a product, a method, a method, and an apparatus, respectively, for a media diary application that provides access to at least one digital media file in a media view that is associated with a timeline view. In the Office Action, the Examiner rejects independent Claims 1 and 35 based on the disclosure of Rothmuller. Additionally, the Examiner rejects independent Claims 26 and 29 based on the disclosure of Adcock.

Applicants submit amendments to independent Claims 1, 26, 29, and 35 to further clarify the claimed invention and distinguish the cited art. In particular, Applicants have amended Claims 1 and 35 to recite "a timeline view to be generated that is presented in combination with the media view, wherein the media view is associated with the timeline view such that access to the at least one digital media file is provided according to periods of time defined in the timeline and according to events represented in the timeline." Applicants have also amended independent Claims 1 and 35 to recite that "the media view is scrollable for locating one or more media files" and that "the timeline view is scrollable for locating periods of time." Moreover, Applicants have further amended Claims 1 and 35 to recite that "the media view further provides text information for the at least one digital media file." Applicants note that Claims 26 and 29 include similar amendments. An example embodiment of the claimed invention is illustrated in FIG. 2 of the present application, which is reproduced below. In one example embodiment, a

media view (100) is generated with at least one digital media file (120). Also, a timeline view (200) is generated and the media view is associated with the timeline view such that access to the at least one digital media file is provided according to periods of time defined in the timeline and according to events represented in the timeline (e.g., the media view is generated directly below and associated with the timeline view in FIG. 2). The timeline view may be scrolled to locate a period of time and the media view may be scrolled to locate one or more media files. *See* page 13, line 17 through page 14, line 2 of the Specification, and previously cancelled Claim 17. Additionally, the media view may provide titles or other text (130) associated with at least one digital media file.

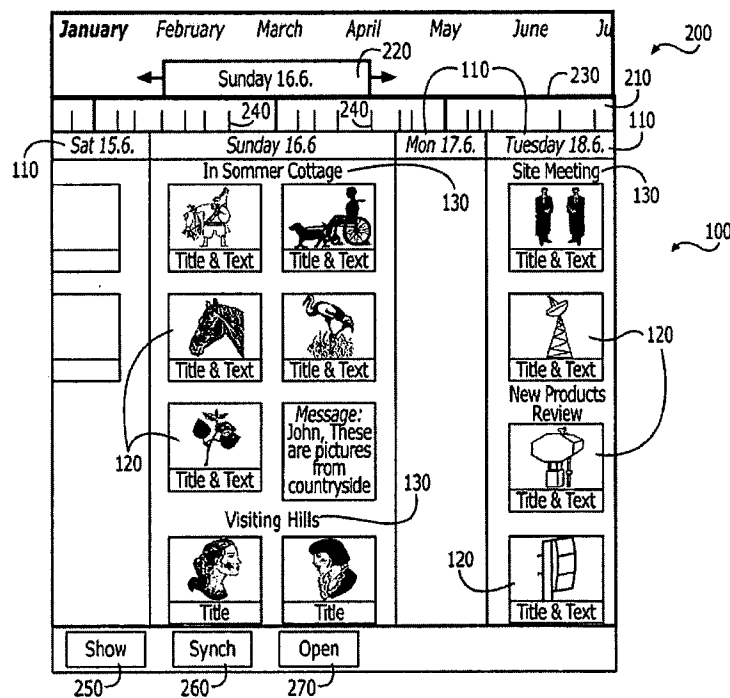


FIG. 2

The Examiner rejects independent Claims 1 and 35 based on Rothmuller. Rothmuller, however, fails to teach or suggest “a timeline view to be generated that is presented *in combination* with the media view, wherein the media view is *associated with* the timeline view *such that access to the at least one digital media file is provided according to periods of time*

defined in the timeline and according to events represented in the timeline.” For example, with reference to FIG. 1 of Rothmuller, the image area (100) is separate and distinct from the timeline (250). In contrast, embodiments of the claimed invention provide a media view with access to the media that is in line with the timeline view and based upon the periods of time presented by the timeline view (e.g., the media view is associated with and below the timeline view in FIG. 2). As such, Applicants submit that Rothmuller fails to teach or suggest at least “a timeline view to be generated that is presented in combination with the media view, wherein the media view is associated with the timeline view such that access to the at least one digital media file is provided according to periods of time defined in the timeline and according to events represented in the timeline.”

Additionally, Rothmuller fails to teach or suggest a timeline view and media view that are scrollable. The Examiner maintains such a rejection to previously cancelled Claim 17 and continues to point to the “<” and “>” keys of FIG. 3 of Rothmuller despite the clear ruling of the Board of Patent Appeals rendered on May 27, 2010. In particular, the BPAI decision states that “[a]lthough we agree with the Examiner that there are ‘left and right scrolling arrows included in the left and right corners of the timeline’ (Ans. 13), there is no teaching in the sections pointed out by the Examiner that the arrows are for scrolling of the timeline.” See Page 11 of Appeal 2009-005542. As such, Applicants submit that Rothmuller fails to teach or suggest at least that “the media view is scrollable for locating one or more media files” and that “the timeline view is scrollable for locating periods of time.”

Therefore, Applicants respectfully submit that Rothmuller does not teach or suggest all of the features of independent Claims 1 and 35 and the rejection under 35 U.S.C. §102(b) is overcome.

The Examiner rejects independent Claims 26 and 29 based on Adcock. Adcock, however, fails to teach or suggest that “the media view further provides *text information* for the digital media file” and that the timeline view “is presented *in combination* with the media view, wherein the media view is *associated with* the timeline view *such that access to the digital media file is provided according to periods of time defined in the timeline* and according to events represented in the timeline.” In particular, Adcock displays calendar views with the

potential for displaying multiple graphical objects on a single date (e.g., objects 115a, 115b and 115c of FIG. 1). However, whether one or multiple graphical objects are displayed for a given date, the only text description associated with the graphical objects that is available is provided via a pop-up window 713, as shown in FIG. 7 of Adcock. Thus, Adcock never provides any text identification of events associated with multiple media file representations displayed in a corresponding period of time segment of the timeline view (e.g., when “the media view is associated with the timeline view such that access to the digital media file is provided according to periods of time defined in the timeline”) In contrast, embodiments of the claimed invention provide titles or other text information associated with the digital media file within the media view (e.g., *see* titles (130) in FIG. 2). As such, Applicants submit that Adcock fails to teach or suggest at least that “the media view further provides text information for the digital media file.”

Additionally, Adcock fails to teach or suggest a “media view that is scrollable for locating one or more media files.” In particular, with reference to FIG. 4, the timeline of may be scrollable between arrows (401) and (403), however, Adcock does not teach or suggest scrolling the media display. In contrast, embodiments of the claimed invention can scroll the media view to locate one or more media files *in addition* to scrolling the timeline. Moreover, in some embodiments (e.g., Claims 16 and 19), the media view is vertically scrollable, which is also not taught or suggested by Adcock. As such Applicants submit that Adcock fails to teach or suggest at least that “the media view is scrollable for locating one or more media files” and that “the timeline view is scrollable for locating periods of time.”

Therefore, Applicants respectfully submit that Adcock does not teach or suggest all of the features of independent Claims 26 and 29 and the rejection under 35 U.S.C. §102(e) is overcome.

Additionally, even though Rothmuller is not cited for the rejection of independent Claims 26 and 29 and Adcock is not cited for the rejection of independent Claims 1 and 35, Applicants respectfully submit that the cited references do not teach or suggest all of the features of independent Claims 1, 26, 29, and 35 for at least those reasons detailed above. Since the dependent claims include each of the recitations of a respective independent claim, the rejections

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of the dependent claims are also overcome for at least the same reasons as described above in conjunction with independent Claims 1, 26, 29, and 35.

The patentability of the independent claims has been argued as set forth above and thus Applicants will not take this opportunity to argue the merits of the rejection with regard to the dependent claims. However, Applicants do not concede that the dependent claims are not independently patentable and reserve the right to argue the patentability of the dependent claims at a later date if necessary.

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CONCLUSION

In view of the amendments and remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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